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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 NATHAN JEROME ELLIS,

11 Plaintiff,

No. CIV S-03-1938 LKK CMK P

12 vs.

13 MIKE KNOWLES, et al.,

14 Defendants.

15 _____/ ORDER

16 Plaintiff brings this civil rights action pursuant to 42 U.S.C. § 1983. This
17 proceeding was referred to the undersigned by Local Rule 72-302 by the authority of 28 U.S.C. §
18 636(b)(1). Plaintiff has filed a motion to compel discovery. (Doc. 49.)

19 Plaintiff seeks to compel further responses to his requests for production of
20 documents. Plaintiff states that defendants responses to his requests for production were
21 unbound, requiring plaintiff to ascertain the order of the documents. Plaintiff also states that
22 defendants' responses were incomplete, unresponsive, and evasive. He states that the "responses
23 are designed to mislead a reviewer into believing that the production response is overwhelmingly
24 responsive to plaintiff's request....[however,] [n]othing is further from the truth." (Doc. 49:4-7.)

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1 Rule 37 provides a mechanism for enforcing discovery; it allows sanctions against
2 parties who unjustifiably resist discovery requests. See Wright, Miller and Marcus: Federal
3 Practice and Procedure § 2281 (2d ed. 1994). Plaintiff has included both his requests for
4 production and defendants' responses as exhibits to his motion to compel. After reviewing both,
5 the court cannot conclude that defendants' responses were unresponsive.

6 Accordingly, IT IS ORDERED THAT plaintiff's motion to compel (doc. 49) is
7 denied.

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9 DATED: July 13, 2006.

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12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE
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